

93136837

SAN JOAQUIN COUNTY
RECORDER'S OFFICE
JAMES M. JOHNSTONE

93 NOV 19 AM 11:54

RECORDED AT REQUEST OF
Peggy Nicolini
FEE *11 12-1*

1554

CITY OF LODI

P.O. Box 3006

Lodi, CA 95241-1910

RESOLUTION NO. 93-135

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A RESOLUTION/ORDER OF THE LODI CITY COUNCIL
VACATING THE ALLEY WEST OF WASHINGTON STREET,
FROM EAST VINE STREET TO 93.68 FEET NORTH OF EAST VINE STREET

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WHEREAS, this City Council acting in accordance with provisions of Part III of Division 9 of the Streets and Highways Code of this State, did on the 1st day of September, 1993 pass and adopt a Resolution of Intention No. 93-108 therein declaring the intention of said City Council to vacate that portion of the alley west of Washington Street, from East Vine Street to 93.68 feet north of East Vine Street, Lodi, California, County of San Joaquin, State of California, reserving, however, and excepting from the vacation, a permanent easement and right therein to construct, maintain, repair and operate lines for public utilities, both publicly and privately owned, in over, and across said alley, and more particularly described as follows, to wit:

The alley located west of 245 East Vine Street, as shown on Exhibit A attached hereto;

WHEREAS, said notice of said intended vacation was regularly given by publication and by posting, both in time, form and manner as required by law as is evidenced by affidavits on file and on record in the office of the City Clerk of the City of Lodi; and

WHEREAS, in accordance with the provisions stated in Resolution No. 93-108 and also contained in the posted notices of the adoption of said resolution, notice was given that a public hearing would be held before the City Council in the City Council Chambers, Carnegie Forum, 305 West Pine Street, Lodi, California, beginning at 7:00 p.m. on Wednesday, October 6, 1993, where and when any person interested in or objecting to said vacation could appear and be heard in relation thereto; and

WHEREAS, at that time and place, a public hearing was held and conducted and testimony received for and against the vacation contemplated; and

WHEREAS, upon unanimous motion action of the City Council, the public hearing was continued to the October 20, 1993 City Council meeting so that a possible solution may be reached, and the Council further directed that a title search be done on the property; and

WHEREAS, on October 20, 1993, a continued noticed public hearing was held and conducted and testimony received for and against the vacation contemplated; and

WHEREAS, upon unanimous motion action, the City Council continued discussion of the matter to the regular City Council meeting of November 3, 1993; and

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WHEREAS, at the November 3, 1993 City Council meeting, upon reviewing an agreement between the property owners, and from the evidence submitted, the City Council of the City of Lodi did determine that said portion of said alley is unnecessary for present or future public use and did so find and declare; and

WHEREAS, the Planning Commission did find that the subject vacation was consistent with the General Plan of the City of Lodi;

NOW, THEREFORE, BE IT RESOLVED, that pursuant to the findings and under the authority of Section 8323 of the Streets and Highways Code of the State of California, that there is hereby abandoned that portion of the alley west of Washington Street, from East Vine Street to 93.68 feet north of East Vine Street, Lodi, California, and more particularly described as follows:

The alley located west of 245 East Vine Street, as shown on Exhibit A attached hereto.

Reserving, however, and excepting from the vacation, a permanent easement and right therein to construct, maintain, repair and operate lines for public utilities, both publicly and privately owned, in over, and across said alley.

Reference is hereby made to a map or plan on file in the office of the City Clerk of the City of Lodi for the particulars as to the proposed vacation.

Dated: November 3, 1993

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I hereby certify that the foregoing RESOLUTION/ORDER VACATING that portion of the alley west of Washington Street, from East Vine Street to 93.68 feet north of East Vine Street, Lodi, California, with the conditions stated, was passed and adopted by the Lodi City Council in a regular meeting held November 3, 1993 by the following vote:

Ayes: Council Members - Davenport, Mann, Sieglock, Snider
and Pennino (Mayor)

Noes: Council Members - None

Absent: Council Members - None

Jennifer M. Perrin by Peggy Nicolini
Jennifer M. Perrin
City Clerk *Peggy Nicolini*
City Clerk

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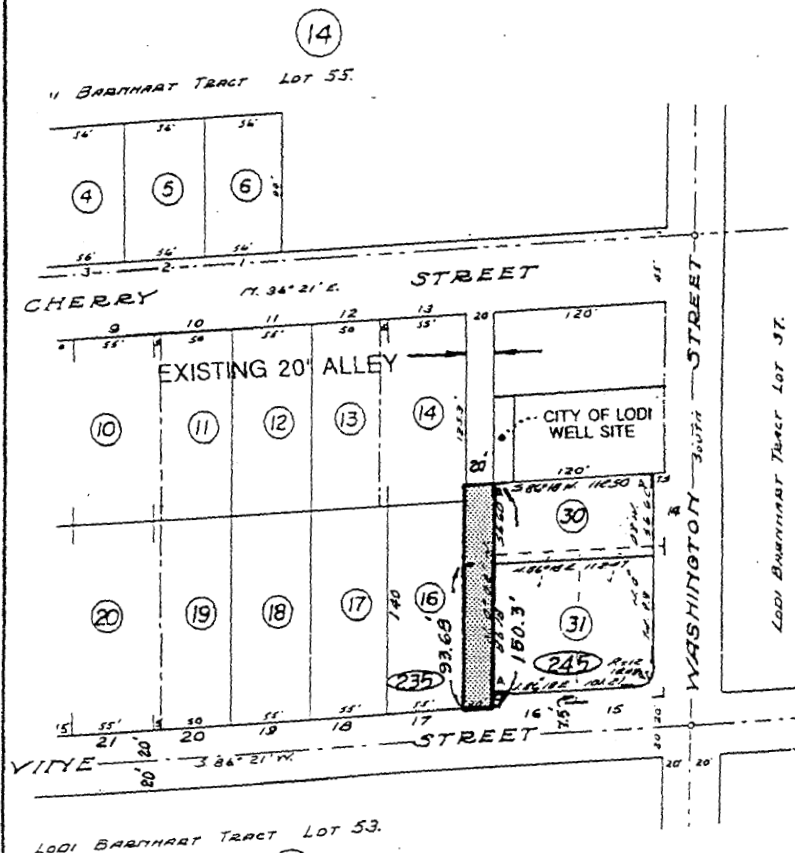


CITY OF LODI

PUBLIC WORKS DEPARTMENT

ALLEY ABANDONMENT

Bk. 047-13



TRACT NO. 15.
SUBDIVISION SAN JOAQUIN CO.
ZILKE SUBDIVISION

Dr.	No.	Date	Revision	Appr.
Ch.				
Date				

EXHIBIT A

REVISED 10/13/93